



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/820,471	03/28/2001	Paul W. Bennett	5676-00400	5660

7590 01/24/2005
Jeffrey C. Hood
MEYERTONS HOOD KIVLIN KOWERT & GOETZEL PC
P.O. Box 398
Austin, TX 78767

EXAMINER

BASEHOAR, ADAM L

ART UNIT	PAPER NUMBER
----------	--------------

2178

DATE MAILED: 01/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/820,471

Applicant(s)

BENNETT, PAUL W.

Examiner

Adam L Basehoar

Art Unit

2178

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 September 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-33 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. This action is responsive to communications: The Amendment filed 09/03/04 to the original Application filed on 03/28/01.

2. Claims 1-33 remains rejected under 35 U.S.C. 102(b) as being anticipated by Microsoft Excel 2000.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-33 are rejected under 35 U.S.C. 102(b) as being anticipated by Microsoft Excel 2000 (pp. 1-9: Copyright 1985-1999).

-In regard to independent claim 1, 12, and 23, Excel teaches a method, system, and computer readable medium comprising:

a CPU;

a user input into a computer system, wherein the input comprises a plurality of numeric values (Fig. 2: C3-C8), one or more mathematical operators (Fig. 2: F9-F11), and a character string (Fig. 2: C3-C14 & F3-F14);

displaying a window on a display screen (Fig. 1) coupled to the computer system, wherein the window comprises a plurality of rows (Fig. 1: 1-16), and at least one column (Fig. 1: A-I), wherein the at least one column (Fig. 2: Column 'F') comprises a plurality

Art Unit: 2178

of number fields (Fig. 2: F3-F7) and a plurality of operation fields (Fig. 2: F8-F11), wherein a first number field (Fig. 7: B7) of the plurality of number fields (Fig. 7: B7, B9-B11) was displayed alongside a first operation field (Fig. 7: C7) of the plurality of operation fields (Fig. 7: C7, C9-C10) in the at least one column (Fig. 7: Column defined by "This is column #1" character string which was columns B and C merged) in a first row (i.e. Row 7);

displaying the mathematical operators in columnar format in the operation fields (Fig. 7: C7, C9-C10) in the at least one column (Fig. 7: Column defined by "This is column #1" character string which was columns B and C merged);

displaying the numeric values in columnar format in the number fields (Fig. 7: B7, B9-B11) alongside the operation fields in the at least one column (Fig. 7: Column defined by "This is column #1" character string which was columns B and C merged);

displaying the character string (Fig. 7: Row 8: "Spanning Char String") in a second row (Fig. 7: Row 8) of the plurality of rows, wherein the character string substantially spans the combined width of the first number field (Fig. 7: Row 7: "10") and the first operation field (Fig. 7: Row 7: "*") displayed in the at least one column (Fig. 7: Column defined by "This is column #1" character string which was columns B and C merged) in a first row (Fig. 7: Row 7);

automatically calculating a result by applying the mathematical operators to the numeric values (Reference Fig. 4 Field C3 and Fig. 5 Field C3, wherein the numeric value was changed from 10 to 15 which automatically calculated the new result value using the mathematical operator in C8 which sums the values in C3-C8 with the result changing from 60 to 65); and

Art Unit: 2178

displaying the result on the display screen (Fig. 5: C8).

-In regard to dependent claim 2, 13, and 24, Excel teaches displaying the mathematical operators in two or more columns (Fig. 2: C9, C10 & F9, F10)(Fig. 2: F11; Fig. 3: C8)

displaying the numeric values in the two or more columns (Fig. 2: C3-C7 & F3-F7); and

wherein each of the two or more columns comprises one or more operation fields (Fig. 2: F11 & Fig. 3: C8) and one or more number fields (Fig. 2: F3-F7 & Fig. 3: C3-C7).

-In regard to dependent claim 3, 14, and 25, Excel teaches wherein the character string could be one or more numerical values (Fig. 1: C3, C4, etc.).

-In regard to dependent claim 4, 15, and 26, Excel teaches applying the mathematical operators)(Fig. 2: F11: F3"/F4) to the character string (numerical values) (F3 = 15, F4 = 16).

-In regard to dependent claim 5, 16, and 27, Excel teaches wherein the character string could be one or more mathematical operators (Fig. 2: C9, C10, F11).

Art Unit: 2178

-In regard to dependent claim 6, 17, and 28, Excel teaches applying the character string (mathematical operators)(Fig. 2: F11: F3"/F4) to the numerical values (F3 = 15, F4 = 16).

-In regard to dependent claim 7, 18, and 29, Excel teaches wherein the character string could be one or more formulas (Fig. 2: F11: F3/F4)(Fig. 3: C8: SUM(C3:C7)).

-In regard to dependent claim 8, 19, and 30, Excel teaches calculating (Fig. 3: C8 = SUM(C3:C7)) a result of one of the formulas to generate a resulting numeric value (Fig. 3: C8 = 60).

-In regard to dependent claim 9, 20, and 31 Excel teaches wherein the character string could be one or more references to numeric values in other number fields (Fig. 2: F11 References F3 & F4: See Dependency Arrows).

-In regard to dependent claim 10, 21, and 32, Excel teaches resolving at least one of said references to generate a resulting numeric value (Fig. 2: F11: Result = 0.9375 of resolving F3=15 divided by F4=16).

-In regard to dependent claim 11, 22, and 33, Excel teaches wherein the user input further comprises one ore more comment strings (Fig. 4: C12, C13, and C14);

Art Unit: 2178

wherein the at least one of the columns which comprises the plurality of number and operation fields further comprises a plurality of comment fields (Fig. 4: Column C); and

displaying the comment strings in columnar format in the comment fields (Fig. 4).

Response to Arguments

5. Applicant's arguments filed 09/03/04 have been fully considered but they are not persuasive.

In regard to the independent claims, the Applicant argues that Microsoft Excel 2000 fails to teach or suggest the newly amended feature wherein a first number field of the plurality of number fields was displayed alongside a first operation field of the plurality of operation fields in the at least one column in a first row. As shown above in the rejection, Excel clearly shows the functionality wherein a first number field (Fig. 7: B7) of a plurality of number fields (Fig. 7: B7 & B9-B11) was displayed alongside (i.e. directly next to in Row 7) a first operation field (Fig. 7: C7) of a plurality of operation fields (C7 & C9-C11) in the at least one column (Fig. 7: Column defined by "This is column #1" character string which was columns B and C merged) in a first row (Fig. 7: Row 7). As shown in Fig. 7, when the "This is column #1" was selected the identifiers for columns "B" and "C" were selected/activated as shown at the top of the window, which further indicates that the data below the column header are acting as one column. Thus Excel teaches two types of fields being displayed alongside one another in the same column, wherein what was considered a "column" was not solely limited to the "A", "B", "C", etc headers at the top of the window.

Art Unit: 2178

Additionally the Applicant argues that Microsoft Excel 2000 does not teach or suggest the newly amended features of displaying the mathematical operators in columnar format in the operation fields in the at least one column and displaying numeric values in columnar format in the number fields alongside the operation fields in the at least one column. The examiner respectfully disagrees with applicant and references the above paragraph in showing that Excel does in fact teach these limitations.

The Examiner wishes to point out wherein the two sets of Excel screenshots differ from each other in appearance (content and layout), the differences were used to show functionality of the particularly amended features to the claims and that both sets, despite their differences, embody the same functionality.

Conclusion

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Art Unit: 2178

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US-5,247,611	09-1993	Norden-Paul et al.
US-6,640,234	10-2003	Coffen et al.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Adam L Basehoar whose telephone number is (571)-272-4121. The examiner can normally be reached on M-F: 7:00am - 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steve Hong can be reached on (703) 308-5465. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


JOSEPH FEILD
SUPERVISORY PATENT EXAMINER

ALB